

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2021-174-WS- ORDER NO. 2021-448

JUNE 30, 2021

IN RE: Request for Approval of a Water and Sewer)	ORDER APPROVING
Agreement between Blue Granite Water)	WATER AND SEWER
Company and Cross Development CC Lake)	AGREEMENT
Wylie, LLC, Pursuant to S.C. Code Ann.)	
Regs. 103-541 and 103-743)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) on the request for approval of a water and sewer agreement (the “Agreement”) between Blue Granite Water Company (“Blue Granite” or “BGWC”) and Cross Development CC Lake Wylie, LLC (“Cross Development”) pursuant to S.C. Code Ann. Regs. 103-541 and 103-743. Cross Development is the developer of certain real estate located Clover, South Carolina in York County (the “Property”).

Under the Agreement, BGWC would provide water and sewer service to the Property. In turn, Cross Development will construct and install water distribution and sewer collection facilities necessary to serve the Property according to the terms and conditions of the Agreement. Blue Granite asserts that it has water and sewer service available to serve this area.

The South Carolina Office of Regulatory Staff (“ORS”) has filed a letter with this Commission, stating that it had reviewed the Agreement in question and has determined

that this filing complies with S.C. Code Ann. Regs. 103-541 and 103-743. We agree. The Agreement is consistent with the Regulations.

Blue Granite states that no notice of hearing is appropriate in this case for approval of the Agreement. Blue Granite noted that the Agreement is not a “new rate, toll, rental, charge, or classification or a new regulation” under S.C. Code Ann. Section 58-5-240 or a “new or changed schedule” under S.C. Code Ann. Section 58-5-260, and asserts that, accordingly, notice and hearing are not required. We agree with these assertions and hold that notice and a hearing are not required under the circumstances of this case.

Based on the matters mentioned herein, we make the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Blue Granite Water Company holds a Certificate of Public Convenience and Necessity to provide water and wastewater services under the jurisdiction of the Public Service Commission of South Carolina.

2. Blue Granite Water Company and Cross Development have entered into an Agreement for water and sewer services to be provided by Blue Granite to property located in Clover, South Carolina in York County, which is an area included in Blue Granite’s service territory.

5. Blue Granite desires to provide service to the Property under the Agreement, in return for the provision of facilities to provide the service by Cross Development.

6. Blue Granite has water and sewer service available to serve the Property of Cross Development.

CONCLUSIONS OF LAW

1. The Agreement is governed by S.C. Code Ann. Regs. 103-541 and 103-743.
2. The Agreement is consistent with and in compliance with S.C. Code Ann. Regs. 103-541 and 103-743.
3. No notice and hearing are required for approval of the Water and Wastewater Agreement, since water, wastewater facilities and wastewater distribution facilities are the only facilities addressed by the Agreement, and neither S.C. Code Ann. Section 58-5-240, nor S.C. Code Ann. Section 58-5-260 are applicable to the Agreement.
4. The Water and Sewer Agreement in question should be approved.

ORDERING CLAUSES

1. The Water and Sewer Agreement between Blue Granite Water Company and Cross Development CC Lake Wylie, LLC for the provision of water and sewer service to the Property located in Clover, South Carolina in York County is hereby approved.
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:




Justin T. Williams, Chairman
Public Service Commission of South Carolina